

Notice of Allowability

Application No.

09/587,587

Examiner

Luke S. Wassum

Applicant(s)

CLONINGER ET AL.

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to after final amendment filed 23 June 2004.
2. ☒ The allowed claim(s) is/are 11-14, 18 and 19.
3. ☒ The drawings filed on 28 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 08262004 .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



Luke S. Wassum
Art Unit 2167

DETAILED ACTION

Response to Amendment

1. The Applicants' amendment, filed 23 June 2004, has been received, entered into the record, and considered.
2. As a result of the amendment, claims 1-10, 15-17 and 21 have been canceled. Claim 20 had previously been canceled. Claims 11-14, 18 and 19 remain pending in the application.

Priority

3. The Applicants' claim to domestic priority under 35 U.S.C. § 119(e), to provisional application 60/178,441, filed 27 January 2000, is acknowledged. Since the subject matter of the provisional application is similar to that of the instant application, a priority date of 27 January 2000 has been established.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Laurence P. Colton on 4 November 2004.

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5. The application has been amended as follows:

A. In claims 11, 13 and 18, please replace

"c) repeating steps a and b for each discrete job; and

d) combining the results of step c into a job analysis database."

with the following

-- c) repeating steps a and b for each discrete job;

d) combining the results of step c and storing said results in a computer-implemented job analysis database; and

e) retrieving from said database the results of the job analyses and displaying said results in said three-part screen on a computer-implemented graphical user interface. --

Allowable Subject Matter

6. Claims 11-14, 18 and 19 are allowed.

7. The following is an examiner's statement of reasons for allowance:

8. The present invention is directed to the method of performing a job analysis resulting in the creation of a job analysis database, said job analysis including the requirements, such as skills and

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capabilities, that a worker would need to possess in order to be able to perform a job. Specifically, the claimed job analysis database contains the physical requirements, such as strength or stamina, required for specific jobs, and can be characterized as an ergonomic job analysis database.

The closest prior art of record, **Barney et al.** (U.S. Patent 6,070,143) teaches a job analysis system including a job analysis database containing work-oriented, worker-oriented and work context dimensions and job analysis survey portions associated therewith (see Abstract, et seq.).

However, **Barney et al.** fails to anticipate or render obvious the recited features of a physical demands analysis comprising a list of physical requirements necessary for a human to be capable of performing each task for particular jobs, nor wherein said analysis includes discrete job listings, nor the creation of a three-part screen showing tasks of the job, a pictorial representation of the tasks, and physical demands of the tasks, as in independent claims 11, 13 and 18.

Furthermore, **Mital** ("Analysis of Multiple Activity Manual Materials Handling Tasks Using *A Guide to Manual Materials Handling*") teaches a general procedure that may be used to design or analyze materials handling jobs that involve several different kinds of activities, and includes the physical requirements for each discrete job.

However, **Mital** fails to anticipate or render obvious the recited features of a physical demands analysis wherein said analysis includes discrete job listings, nor the creation of a three-part screen showing tasks of the job, a pictorial representation of the tasks, and physical demands of the tasks, as in independent claims 11, 13 and 18.

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These features, together with the other limitations of the independent claims are novel and non-obvious over the prior art of record. The dependent claims 12, 14 and 19 being definite, enabled by the specification, and further limiting to the independent claim, are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke S. Wassum whose telephone number is 571-272-4119. The examiner can normally be reached on Monday-Friday 8:30-5:30, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

In addition, INFORMAL or DRAFT communications may be faxed directly to the examiner at 703-746-5658.

Customer Service for Tech Center 2100 can be reached during regular business hours at 571-272-2100, or fax (703) 746-7240.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Luke S. Wassum
Primary Examiner
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